

## **GULF OF MEXICO COMMERCIAL SHRIMP MORATORIUM** **FREQUENTLY ASKED PERMIT QUESTIONS**

### **1. Where can I read the regulations pertaining to this rule?**

Regulations are published in the Federal Register, which is the official source of these regulations. The Federal Register is available on line at <http://www.gpoaccess.gov/fr/index.html>, and the final rule that implements the moratorium was published on September 26, 2006. Courtesy copies of pertinent regulations and the October 3, 2007, Southeast Fishery Bulletin (FB06-043) concerning the moratorium are provided at the NOAA Fisheries Service Southeast Regional Office website at <http://sero.nmfs.noaa.gov/regulations/reg.htm>.

### **2. When does the moratorium for Gulf of Mexico Shrimp begin?**

The first day that GOM shrimp moratorium permits are required for fishing for shrimp in Gulf of Mexico federal waters is **March 26, 2007**.

### **3. How do I apply?**

An applicant who desires a Gulf of Mexico (GOM) shrimp moratorium permit must submit an application for such permit(s) to the Regional Administrator, Southeast Region, NOAA Fisheries Service (F/SER1) postmarked or hand-delivered not later than October 26, 2007. Applications should be submitted at least 30 days in advance of when the permit is desired. The application to be submitted for moratorium permits is titled, "Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone (EEZ)".

### **4. How long can I use my Gulf of Mexico open access commercial shrimp permit?**

Any open access permits for GOM shrimp are valid to the expiration date printed on your permit or through **March 25, 2007**, whichever comes first. A valid and current open access GOM shrimp permit is required to fish for GOM shrimp in Federal waters until March 26, 2007, when the moratorium begins.

Individuals should be aware that up to and including March 25, 2007, both open access and moratorium permits may be issued to eligible entities. In these cases, all open access GOM shrimp permits would expire no later than March 25, 2007, and all GOM shrimp moratorium permits would have an effective permit starting date of no sooner than March 26, 2007, regardless of any prior issue date.

### **5. What is the deadline to apply for a Gulf shrimp moratorium permit?**

All applications must be postmarked or received by the NOAA Fisheries Service Southeast Regional office no later than **October 26, 2007**.

### **6. Who is eligible under this rule?**

Eligibility for GOM Shrimp moratorium permits under this rule is limited to applicants who meet one of the two moratorium permit eligibility criteria. To be

eligible for a shrimp permit under the moratorium, an applicant must meet the eligibility requirements for:

- 1) Vessel ownership history as of December 6, 2003, OR
- 2) Previous vessel ownership as of December 6, 2003 and recent vessel ownership prior to the publication of the final rule on September 26, 2006.

## **7. What are the eligibility criteria of the moratorium?**

The two criteria are:

A) The vessel you currently own must have been issued a valid open access GOM shrimp permit on or before December 6, 2003.

OR

B) You must have owned a vessel that was issued an open access GOM shrimp permit on or before December 6, 2003, and prior to September 26, 2006, owned a different vessel which (1) was issued an open access GOM shrimp permit, (2) is/was equipped for offshore shrimp fishing, and (3) is at least 5 net tons and is U.S. Coast Guard documented, and (4) is the same vessel for which the commercial moratorium permit is being applied.

An applicant who believes that they meet either eligibility requirement based on ownership of a vessel or vessels under a different name, e.g., as may have occurred when ownership changed from individual to corporate or vice versa, must document their continuity of ownership.

## **8. What is the Royal Red Endorsement requirement?**

On March 26, 2007, a vessel fishing for royal red shrimp in Gulf of Mexico federal waters will be required to have both a Gulf of Mexico moratorium shrimp permit and a royal red endorsement to that permit.

The royal red endorsement is not transferable. Persons desiring to obtain this endorsement must apply to have this endorsement to their GOM shrimp moratorium permit. Royal red endorsements will be available through application to all GOM shrimp moratorium permit holders and/or applicants. The application to be submitted for royal red endorsements is titled, "Federal Permit Application for Vessels Fishing in the Exclusive Economic Zone (EEZ)".

Since the Royal Red endorsement may only be issued to an associated GOM Shrimp moratorium permit, if the moratorium permit is transferred, expired or otherwise not valid, then the Royal Red endorsement to this permit is no longer valid.

**9. What is the Vessel and Gear Characterization Form?**

The Vessel and Gear Characterization Form, is a required document to be completed and submitted with your application for a shrimp moratorium permit and with all permit renewals (annually). This form is a standardized collection of information on shrimp vessel and gear data.

**10. Can Gulf of Mexico shrimp moratorium permits be transferred?**

Yes, these permits are fully transferable with or without the sale of the vessel. Additionally, for a transfer, the transferor (seller) must sign the reverse side of the permit and have that signature notarized. This notarized signature requirement is now required for the transfer of all moratorium and/or limited access permits that the NOAA Fisheries Service Southeast Regional Office issues.

**11. I did not hold an open access Gulf of Mexico shrimp permit before December 6, 2003. Is there any way I can be eligible under this rule?**

Yes, you could be eligible for a GOM moratorium shrimp permit if you now own a vessel that had been previously issued a GOM shrimp permit on or before December 6, 2003.

**12. What documentation is required to apply for a shrimp permit under the moratorium?**

The information collected in support of an application varies according to the applicant's situation and eligibility criterion upon which the application is based. General guidance follows. For specifics, please read the instructions that accompany the application form, and requirements listed in the Federal Register. Generally, the following documentation is required when submitting an application under either eligibility criteria:

1. A completed application.
2. A completed Vessel and Gear Characterization form.
3. A completed Basis of Eligibility for Gulf of Mexico Shrimp Moratorium worksheet.
4. If the applicant is leasing the vessel to which the permits are to be issued, a copy of the lease agreement is required.
5. A valid (not expired) copy of the USCG Documentation or State Registration as applicable, for the vessel to which you want permits issued.
6. If the vessel is owned by a business the application must include proof the business is active. Such proof may consist of a copy of the active Articles of Incorporation and a copy of your state's required annual Universal Business Report.
7. Compliance with all logbook and reporting requirements for all NOAA Fisheries Service issued permits.
8. A check or money order for the appropriate fees, made out to the U.S. Treasury must be included with the application.
9. Note: An applicant who believes he/she meets permit eligibility based on ownership of a vessel under a different name, for

example, as may have occurred when ownership has changed from individual to corporate or vice versa, must document his/her continuity of ownership.

**13. How much does it cost to apply?**

The cost is \$25 for the first permit in a vessel permit application package and \$10 for each additional permit in a vessel permit application package. For example, an applicant that submits a single application for both a gulf shrimp moratorium permit and a royal red endorsement would pay \$25 for the first request and \$10 for the second request, or \$35 total.

**14. Where do I get an application and who can I ask about any questions on the application?**

We can mail an application to you or you may download it and the instructions from our website at: <http://sero.nmfs.noaa.gov>. For additional questions regarding the application, you may call the Permits office at 727-824-5326, (8 am – 4:30 pm ET). Applications may be mailed to:

U.S. Dept. of Commerce, NOAA  
NOAA Fisheries Service Permits Branch, F/SER1  
263 13<sup>th</sup> Avenue South  
St. Petersburg, FL 33701